

4607

1 BILL NO. Z-79-08-45

2 ZONING MAP ORDINANCE NO. Z- Withdrawn

3 AN ORDINANCE amending the City of  
4 Fort Wayne Zoning Map No. K-10.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
6 INDIANA:

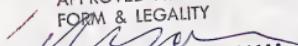
7 SECTION 1. That the area described as follows is hereby designated  
8 a B1A District under the terms of Chapter 33, Municipal Code of the  
9 City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort  
10 Wayne Zoning Map No. K-10, referred to therein, established by Section 33-11,  
11 of said Chapter are hereby changed accordingly, to wit:

12 Lot Number 79 in Archer's Addition to the City of  
13 Fort Wayne, Indiana, more commonly known as  
14 1515 St. Mary's Avenue.

15 SECTION 2. That this Ordinance shall be in full force and effect  
16 from and after its passage, approval by the Mayor and legal publication  
17 thereof.

18   
19 Councilman  
20  
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32

APPROVED AS TO  
FORM & LEGALITY

  
33 William N. Salin, City Attorney

Read the first time in full and on motion by Delores, seconded by

Henry, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 8-28-79

Charles M. Wetterman  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_,

seconded by \_\_\_\_\_, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE  
(RESOLUTION) No. \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.  
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_,  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

MAYOR

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CHARLES W. WESTERMAN  
CITY CLERK

*Present*

Read the third time in full and on motion by \_\_\_\_\_, seconded by Julian, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>BURNS*</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: 10-14-80

*Charles W. Westerman*  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.  
ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of 19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. Z-79-08-45

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN  
ORDINANCE amending the City of Fort Wayne Zoning Map No. K-10

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND ARE LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE WILL BE PASSED PASS.

BEN EISBART, CHAIRMAN

*Ben Eisbary*  
*John Nuckles*

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

*Samuel J. Talarico*  
*DJSchmidt*

SAMUEL J. TALARICO

DONALD J. SCHMIDT

*10-14-80*  
*Constituted*

DATE CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 28, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-08-45; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1979; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 22, 1980.

Certified and signed this  
23rd day of September 1980.

*Ju. Joyce Schlatter*

Joyce Schlatter  
Secretary

## RECEIPT

Date 8-15 1929 No. 10835

Received From

Snuffer, Heller, Culver

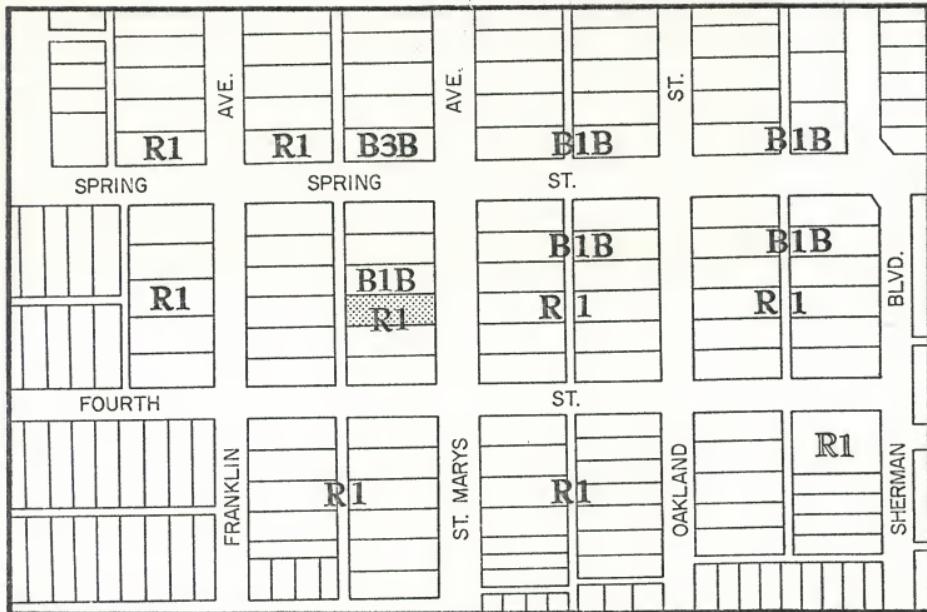
Address

2000 FAWN B50 ~~50~~ 00 Dollars \$ 5.00For Cravonizing - Rd to BIA1515 St. Mary's Ave.

ACCOUNT	HOW PAID		
AMT. OF ACCOUNT		CASH	
AMT. PAID		CHECK	<u>✓</u>
BALANCE DUE		MONEY ORDER	

By

PAFB



MAP NR. - K-10

Z-79-08-45



SNOUFFER, HALLER & COLVIN

ATTORNEYS AT LAW

2000 FORT WAYNE BANK BLDG.

FORT WAYNE, INDIANA 46802

TELEPHONE  
219-424-2000

RICHARD I. SNOUFFER  
ROBERT W. HALLER  
SHERRILL WM. COLVIN  
STEPHEN E. LEWIS  
STEPHEN L. WILLIAMS  
VINCENT J. HEINY  
JOHN O. FEIGHNER  
PERRY D. SHILTS

September 18, 1980

Mr. Gary F. Baeten  
Senior Planner  
City Plan Commission  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

RE: Bill No. Z-79-08-45  
Rezoning of Lot #79 in Archer's Addition  
1515 St. Mary's Avenue

Dear Mr. Baeten:

As a result of your letter dated September 4, 1980, I have contacted Mr. Smead who called this morning with the telephone message that he does not wish to pursue any request for a zoning change at this time.

Accordingly, on behalf of the Petitioner, Mr. and Mrs. John O. Smead, I ask that the Petition noted in the caption be withdrawn.

Very truly yours,

SNOUFFER, HALLER & COLVIN

*Robert W. Haller*  
Robert W. Haller (607)  
RWH:gdf

cc: Barbara Monroe, President  
Hamilton Association For  
Neighborhood Development  
Mr. and Mrs. John O. Smead

TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

Date Filed \_\_\_\_\_

X/We JOHN O. SMEAD and ALICE M. SMEAD

Intended Use REALTY OFFICE

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-2 District to a/an B-1 BIA District the property described as follows:

Lot Number 79 in Archer's Addition to City of Fort Wayne, Indiana.

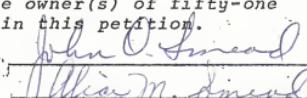
1515 St. Mary's Avenue, Fort Wayne, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

JOHN O. SMEAD 2637 Sterling Avenue, Ft. Wayne, IN.



ALICE M. SMEAD 2637 Sterling Avenue, Ft. Wayne, IN.



(Name)

(Address)

(Signature)

Legal Description Checked By:

(City Engineer)

## NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

ROBERT W. HALLER, 2000 Ft. Wayne Bank Bldg. Ft. Wayne, IN. 219-424-2000  
(Name) (Address) (Telephone Number)City Plan Commission, City-County Building, Room 800, One Main Street,  
Fort Wayne, Indiana 46802 Telephone Number 423-7571



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802  
city plan commission

23 September 1980

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

### 1. Bill No. Z-79-08-45

This ordinance was requested to be WITHDRAWN by written request of the petitioner. (Copy of written request is attached to ordinance.)

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING



Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

SNOUFFER, HALLER & COLVIN  
ATTORNEYS AT LAW  
2000 FORT WAYNE BANK BLDG.  
FORT WAYNE, INDIANA 46802

TELEPHONE  
219-424-2000

RICHARD I. SNOUFFER  
ROBERT W. HALLER  
SHERRILL WM. COLVIN  
STEPHEN E. LEWIS  
STEPHEN L. WILLIAMS  
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Robert W. Haller (607)  
RWH:gdf

cc: Barbara Monroe, President  
Hamilton Association For  
Neighborhood Development  
Mr. and Mrs. John O. Smead

4607

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

*Withdrawn*  
3-79-08-45

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lot #79 in Archer's Addition, more commonly known as 1515 St. Mary's Avenue.

EFFECT OF PASSAGE Property is now zoned R-2 - Two Family Residential.

Property will become B-1-A - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R-2 Two Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_